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January 24, 2008

VIA FACSIMILE

Honorable Judge Charles L. Brieant
United State District Judge for the Southern
District of New York
United States Courthouse
300 Quarropas Street
White Plains, NY 10601-4150
Fax: (914) 390-4085

MEMO ENDORSED

Re: *Motorola, Inc. v. Digital Technology Licensing LLC*, Civil Action No. 07-10436

Dear Judge Brieant:

I write on behalf of Motorola, Inc. with a request to withdraw, without prejudice, Motorola's Amended Motion to Dismiss, or in the Alternative, to Sever and Stay Digital Technology Licensing LLC's Third-Party Complaint ("Amended Motion"), filed on January 9, 2008 (Docket Nos. 21-23).

On January 9, 2008, Motorola filed its Amended Motion with a return date of February 15, 2008. There has been no additional briefing by the parties since submission of Motorola's Amended Motion. However, on January 10, 2008, Digital Technology Licensing LLC ("DTL") filed its Notice of Dismissal of Third-Party Claims Against Sprint Nextel Corporation, Cellco Partnership d/b/a Verizon Wireless, and T-Mobile USA, Inc. (Docket No. 24). DTL's Notice of Dismissal essentially afforded Motorola the relief it sought in the Amended Motion and, therefore, the Amended Motion and February 15, 2008 return date are no longer necessary at this time. Accordingly, Motorola seeks to withdraw, without prejudice, its Amended Motion. Motorola has conferred with counsel for DTL and DTL does not oppose the withdrawal of Motorola's Amended Motion.

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Very truly yours,



Michael I. Cohen

cc: Steven L. Procaccini, Esq.
(Counsel of record for Defendant Digital Technology Licensing LLC) (via facsimile)